



# *Departmental Memorandum*

*Volume 24-21*

To: All Sworn

Katherine Lester, Chief of Police

From: Captain Neil Cybulski, Research and Development/Training

## **Annual Vehicle Pursuit Policy Acknowledgement**

**12-06-2024**

CA Vehicle Code § 17004.7 protects our agency from civil liability when our agency provides annual training and requires officers to acknowledge that they have received, read, and understand the vehicle pursuit policy. Completing the vehicle pursuit policy assignment is your acknowledgement that you have received, read, and understand the policy. If you have any questions about the policy, you may seek clarification from your immediate supervisor or contact EVOG Sergeant Vassallo.

This assignment requires all sworn peace officers to:

1. Review General Order 521.01 (Pursuit of Vehicles) – see next page.
2. Complete training in the POST learning portal – instructions below.

Accessing the POST learning portal:

1. Log in to the learning portal here: [lp.post.ca.gov/PublicWelcome.aspx](http://lp.post.ca.gov/PublicWelcome.aspx)
2. Select “Enroll in Courses” from the left-hand side.
3. Search for “Vehicle Pursuit Policy, CPT Cycle 23-24, s2” and select enroll.
4. Once you have enrolled in the course, you will receive an email with instructions to access the course.
5. Complete this course.

Upon completion of the course, you will be required to attest that pursuant to Vehicle Code §17004.7(b)(2), you have received, read, and understand my agency’s vehicle pursuit policy. Completion of the course, and signature of completion for this Acumen course meets this requirement, you do not need to complete the attestation form in the POST assignment.

The POST course and acknowledgement of this Acumen assignment must be completed on or before 12/31/2024.



# Departmental Memorandum

## Volume I

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### **521.01 PURSUIT OF VEHICLES 03-20-18**

#### **PURPOSE**

The purpose of this order is to establish procedures for vehicle pursuits.

#### **POLICY**

It shall be the policy of the Sacramento Police Department to closely control and monitor pursuits consistent with California law and the safety of all persons.

#### **PROCEDURE**

##### **A. DEFINITION**

1. **PURSUIT** – An active attempt by a peace officer, while operating a motor vehicle, to apprehend a suspect who is also operating a motor vehicle and trying to avoid capture by using high-speed driving or other evasive tactics, including, but not limited to, driving off a highway, making a sudden or unexpected movement, driving on the wrong side of the roadway, or driving in a legal manner but failing to yield to the officer's signal to stop.
2. **SURVEILLANCE MODE** – A response in which an air unit is used as an observation platform for continued surveillance of a motor vehicle after a pursuit has been terminated at the direction of a supervisor. Operating in Surveillance Mode allows officers on the ground to work in conjunction with the air unit to maintain a loose containment of the motor vehicle until the suspect stops and abandons the motor vehicle.
3. **BLUE TEAM (BT)** – IA Pro Blue Team is Web-based computer software that allows sergeants to enter UOF and pursuit incidents from a Department computer.

##### **B. SAFETY RULES ABOUT PURSUITS**

California Vehicle Code Section 21055 states that the driver of an emergency vehicle may disregard Division 11, "Rules of the Road," when in pursuit of an actual or suspected violator or when responding to an emergency. This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor does it protect the driver of an authorized emergency vehicle from the consequences of an arbitrary exercise of the provision.

##### **C. GENERAL**

1. Officers in a vehicle pursuit shall immediately
  - a. Activate emergency lights.
  - b. Sound the siren continuously.
2. A Code 3 response is justified in a pursuit by a unit other than the initiating or secondary unit only when authorized by a supervisor.

##### **D. FACTORS TO CONSIDER WHEN INITIATING, CONTINUING, AND TERMINATING PURSUITS**

1. When a suspect exhibits the intention of avoiding arrest by using a vehicle to flee, or refuses to stop, officer(s) shall consider public safety and effective law enforcement to determine whether initiation of a vehicle pursuit is reasonable. Factors to be considered include
  - a. The nature of the offense.
  - b. Is the pursuit reasonable with regard to posted and safe speed limits and road, weather, and



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traffic conditions?

2. The involved officer(s) and supervisor shall continually reassess whether a pursuit should continue. Factors the involved officer(s) and supervisor shall consider in determining whether a pursuit should continue or be terminated include, but shall not be limited to:
  - a. The safety of the public in the area of the pursuit.
  - b. The volume of vehicular and pedestrian traffic, roadway and environmental conditions, and the time of day.
  - c. The violation for which the suspect is wanted.
  - d. The speed and driving exhibited by the violator.
  - e. The distance of the pursuit.
  - f. The physical condition of the police vehicle(s) in the pursuit.
  - g. The suspect has been identified to the point that he/she can be apprehended at a later time.
  - h. The quality of radio communications.
  - i. The familiarity with the area of pursuit by the officer and supervisor controlling the pursuit.
  - j. The distance between the pursuing and fleeing vehicle.
3. Officers shall not engage or participate in pursuits while transporting prisoners, victims, and/or citizens, except for ride-alongs who have signed an "Indemnity and Hold Harmless" agreement (SPD 357).
4. When a supervisor orders a pursuit to be terminated, officers shall not continue to pursue the violator.
  - a. When a supervisor reduces the number of units involved in a pursuit, the unneeded officers shall make themselves "Available" and return to their normally assigned duties.
  - b. Only the supervisor who ordered a pursuit to be terminated, or a higher authority, may authorize the resumption of the pursuit.

### E. PURSUIT RESPONSIBILITIES

1. Officers initiating a pursuit shall verbally broadcast
  - a. Their unit identifier(s) and that they are in pursuit.
  - b. The location, direction of travel, and approximate speed.
  - c. Traffic conditions.
  - d. The reason for the pursuit.
  - e. A description of the vehicle and occupants, if possible.
2. The primary unit and two (2) secondary units may pursue a suspect fleeing in a vehicle.
  - a. The district sergeant may authorize additional units if the circumstances dictate (e.g., PIT or felony stop).
  - b. Officers shall not trail the pursuit, but shall remain alert to its progress and location. They should attempt to position themselves to be available as perimeter units and/or to provide traffic breaks at intersections.
  - c. When the pursuit has been terminated, all units involved in the pursuit (including perimeter units) shall
    - (1) Immediately enter a "Miscellaneous" message on the pursuit call, to include actions taken, location, vehicle number, and other pertinent information.
    - (2) Make themselves available for service.
3. Primary Unit
  - a. The officer initiating the pursuit shall be designated the primary unit unless the district sergeant directs otherwise. The first responsibility of the officer initiating the pursuit is the



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safety of the public and the apprehension of the suspect(s) in view of the factors in sections B, C, and D above.

- b. Unless relieved by the district sergeant, the senior officer in the primary unit shall control pursuit tactics and ensure the broadcast of the progress, except as noted in paragraph E.4.a. below.

#### 4. Secondary Unit(s)

- a. Any authorized units shall back up the primary unit and, when in a position to do so, broadcast their unit identifier, their position as secondary unit, the progress of the pursuit, and pertinent information at the termination of the pursuit. This procedure allows the officer(s) in the primary unit to apprehend the suspect(s) without first notifying the dispatcher of their movements.
- b. The secondary unit shall also follow the guidelines in sections B, C, and D above.

#### 5. Air Units

- a. When available, air units shall assist ground units by advising of the pursued vehicle's direction of travel, potential traffic hazards, possible cut off routes, and other logistical information.
- b. Air units should not be tasked with broadcasting the progress of a pursuit when ground units are available to do so.
- c. Air units may be used as an observation platform for continued surveillance of a motor vehicle during Surveillance Mode.
- d. An aircraft is not defined as an authorized emergency vehicle in the California Vehicle Code and should not be described as a pursuit vehicle.

6. When broadcasting the progress of a pursuit, primary or secondary units shall update the location, direction of travel, approximate speed, traffic conditions, pertinent dangerous driving, and/or dangerous conditions (e.g., high speeds, running stop signs and/or red lights, wrong-way driving, pedestrian traffic).

7. Perimeter units shall perform ancillary duties (e.g., evidence collection, intersection control) while obeying rules of the road and with due regard for public safety.

8. Officers in unmarked vehicles or on motorcycles shall broadcast their involvement in a pursuit, specifically identifying their vehicle as unmarked or a motorcycle, and shall discontinue their involvement in the pursuit when marked units are in position to take over as the primary and secondary units.

#### F. DISPATCHER RESPONSIBILITIES

Dispatchers shall

1. Rebroadcast the initial pursuit information and periodically update pursuit progress to all units on all channels.
2. Activate the Emergency In Progress (EIP) signal and indicate so on the incident history.
3. Utilize the "Z" command to log the pursuit.
4. Confirm the district sergeant and watch commander copy the pursuit.
5. Dispatch secondary units as necessary.
6. Accurately reflect the involved units' status. NOTE: CLX or CLXA commands may ONLY be used if it is known and confirmed that all units in the pursuit are actually with the primary unit.
7. Request air units and/or K9 assistance in the pursuit as appropriate.
8. Include miscellaneous pertinent information on the incident history. Pertinent includes, but is not limited to, permission to use the Pursuit Immobilization Technique (PIT), locations of items



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thrown from the suspect vehicle, location of any spike strip used, and all CODE 4 information.

9. If the pursuit crosses district boundaries, either move units to the involved channel or patch the channels together if deemed necessary by the district sergeant.

### G. USE OF FORCE

1. The use of the Pursuit Immobilization Technique (PIT) and hollow spike strips MAY constitute lethal force if not used as instructed. These methods of stopping a vehicle shall
  - a. Only be used with supervisor approval.
  - b. Be considered only where force would be a reasonable police action per G.O. 580.02 (Use of Force), or if the public's safety is at risk.
2. Pursuit Immobilization Technique (PIT)
  - a. The following factors shall be considered when using the PIT
    - (1) The officer has successfully completed Department PIT training.
    - (2) There is a third vehicle in the pursuit.
    - (3) The officer and/or supervisor believes that continued movement of the pursued vehicle would place others in danger of great bodily harm.
    - (4) The risk to persons other than the occupants of the pursued vehicle outweighs the risk of making the forcible stop.
    - (5) When other reasonable means of apprehension have been considered and rejected as impractical or unavailable.
  - b. The maximum speed during application of the PIT shall not exceed 35 miles per hour.
  - c. The use of the PIT shall require
    - (1) The completion of a City of Sacramento Vehicle Accident Report (RM2 – blue border form).
    - (2) Photographs of the involved vehicles (damaged or not).
    - (3) Officers and supervisor's narratives of the PIT actions taken within their report.
3. Hollow Spike Strip Deployment
  - a. Spike strips shall be available within each district.
    - (1) Pursuing units shall notify the deploying unit as far in advance as possible to ensure close coordination between the pursuing units and the officer deploying the strip(s).
    - (2) Deploying officers shall not attempt to overtake and pass a pursuit to position the spike strip.
    - (3) Spike strips shall not be used in locations where geographic configurations increase the risk of injury to the suspect (e.g., roadways with curves or steep embankments).
    - (4) Consider whether a third unit is in the pursuit.
  - b. Other specialized units wishing to deploy spike strips shall coordinate their requirements with the appropriate district sergeant.
  - c. When a spike strip is deployed, the Communications Center shall be notified of the location. The Communication Center shall then rebroadcast the location of the spike strip to all units.
4. Watch commander approval shall be required for barricading a roadway, intentionally blocking the path of a suspect vehicle outside of instructed techniques, ramming a vehicle, when other extraordinary means of stopping a vehicle (see the factors in section D.1. above) are deemed necessary, or when any of the following type vehicles are involved in the use of force:
  - a. Motorcycles, mopeds, or similar vehicles.
  - b. Any vehicle transporting hazardous materials.
  - c. Any bus transporting passengers.



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d. Any vehicle that would pose an unusual hazard.

5. Officers shall not intentionally pin or spear the suspect's vehicle with their patrol vehicles.

### H. DISTRICT SERGEANT RESPONSIBILITY

1. The district sergeant where the pursuit originated shall monitor and control any pursuit from its origin to its conclusion, ensuring

a. Available aircraft have been requested to assist as necessary.

b. Only the required units are involved, when considering both the number of active and perimeter units, and verbally identifying units authorized in the pursuit.

c. Proper radio channels and procedures are being used.

d. Affected allied agencies have been notified. Supervisors of assisting allied agencies should be contacted directly.

2. The district sergeant shall order the pursuit discontinued when the factors set forth in sections D.1. or D.2., or other valid considerations, indicate termination is proper.

3. In the event the district sergeant is involved in the pursuit, the watch commander shall supervise the pursuit and follow the provisions outlined in sections H.1. and H.2.

4. District sergeants shall discontinue their involvement in the pursuit when marked units are in position to take over as the primary/secondary units and resume responsibility of supervising the pursuit.

5. The district sergeant in whose jurisdiction the pursuit originated shall

a. Complete a BT.

b. Proceed to the termination point of the pursuit to complete the report or provide assistance.

c. If the pursuit results in a fatality, severe injury, or property damage, respond to the scene(s), and ensure

(1) All necessary police reports are completed.

(2) Crime Scene Investigations takes photographs.

(3) Traffic investigators are notified of fatalities or severe injuries.

(4) The Professional Standards Unit and the EVOC sergeant are notified of fatalities, severe injuries, or major property damage.

6. The BT shall be routed through the chain of command to the Watch Commander responsible for the pursuit. The WC will assign a secondary Lieutenant to review the BT. The BT shall then be forwarded to the EVOC sergeant along with all comments.

### I. EVOC SERGEANT RESPONSIBILITY

The EVOC sergeant shall:

1. Review the BT and route it along with comments to the area Captain responsible for final approval.

2. Forward a copy of the BT to the CHP.

3. Submit quarterly statistical reports to the Deputy Chief, OOO.

### J. MULTI-AGENCY PURSUITS

1. The "Sacramento (Regional) County Law Enforcement Inter-Agency Vehicular Pursuit Guidelines" provide that allied agencies are prohibited from joining a pursuit unless specifically requested by the agency whose officers are in pursuit or directly ordered by a patrol supervisor, except when a single unit of the initiating agency requires assistance for officer safety.

2. When an outside agency advises the Communication Division of a pursuit, dispatchers shall



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relay all available information to the affected district sergeant and watch commander.

3. If assistance is requested by the pursuing agency, officers assigned to assist shall terminate the pursuit at the City limits unless there is either
    - a. A reasonable likelihood the pursuit will reenter the City.
    - b. Extenuating circumstances are present, including, but not limited to
      - (1) Officer or public safety.
      - (2) The outside agency's inability to continue the pursuit.
      - (3) The seriousness of the crime.
  4. Requests for outside agency assistance shall be per the Inter-Agency Vehicular Pursuit Guidelines.
    - a. District sergeants shall ensure its provisions are followed.
    - b. If there is a conflict between its provisions and this G.O., this G.O. shall prevail.
- K. VEHICLE SAFETY CHECK
1. Department vehicles with visible or audible damage shall be taken to a Public Safety Garage to be checked. Employees shall consider whether their vehicle was subjected to any maneuvers that could have caused damage, including, but not limited to
    - a. Use of force.
    - b. Rapid acceleration.
    - c. High speed.
    - d. Rapid cornering.
    - e. Hard braking.
  2. The involved district sergeant/supervisor shall determine whether
    - a. Officer(s) shall complete their shift and then take the vehicle to the garage.
    - b. Officers shall slowly drive the vehicle to the garage.
    - c. The vehicle shall be towed to the garage.
  3. Involved officer(s) shall prepare Fleet Management Equipment Request/Repair Form and give it to the Public Safety Garage supervisor on duty.
    - a. The Equipment Report shall provide the garage personnel with details of the pursuit that could affect the vehicle's safe performance.
    - b. In case of a shortage of vehicles, no one is authorized to release a vehicle that has not been inspected.